

REMARKS

Claims 5-7, 10, 11, 13, 14, 16 and 17 are pending in the application. Claims 6, 7, 11, 14, and 17 are rejected. Claims 5, 10, 13, and 16 are objected to but found to contain allowable subject matter..

Claims 5, 10, 13 and 16 have been clarified herein by changing "channels" to "channel." For example "said second channels" to "said second channel" in claims, 10, 13 and 16.

Claims 5, 10, 13 and 16 are rejected under 35 U.S.C. § 112, second paragraph. It is respectfully submitted that the rejection should be withdrawn since the claims were clarified as noted above.

Claims 6, 7, 11, 14 and 17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Chin in view of Takao et al.

In the rejection, it is indicated in the Office Action that Chin fails to teach that when available channel bandwidth is less than requested, then setting the second channel bandwidth to the available channel bandwidth.

It is argued in the Office Action that Takao discloses a method and system for handover (handoff) in Fig. 1, and Takao teaches that during handoff, minimum bandwidth is assigned in case the target base station does not have enough radio resource (column 9, lines 62-67; column 10, lines 1-6).

However applicant respectfully submits that Takao teaches something different and does not teach during handoff, minimum bandwidth is assigned in case the target base station does not have enough radio resources.

Takao indicates in col. 10, lines 6-10 upon the inquiry, if there is a mobile station for which the minimum bandwidth is not satisfied, the radio resources management unit 12 will select a mobile station and radio base station for carrying out the handover.

Takao is teaching when a handover is to be carried out. Takao states that when a minimum bandwidth cannot be guaranteed for a mobile, then a mobile and a base station are selected for handover. This means in which case or situation the handover is carried out in the system of Takao.

Contrarily, in the rejected claims 6, 7, 11, 14, and 17, the claimed invention is to change the bandwidth of the second channel, which has been established to the first base station, to the allocatable bandwidth narrower than that of the second channel at the start of handoff.

Takao does not teach changing the bandwidth to a bandwidth narrower, Takao is handing over when a minimum bandwidth is not available.

Further, in the Office Action under the paragraph providing reasons for the allowable subject matter, the Examiner has appreciated the current invention claims a method and system for setting a second channel bandwidth during a handoff, using the least available channel bandwidth from a plurality of base stations, when a mobile station is communicating with the plurality of base stations through a first channel. But, Chin teaches during a soft handoff, no additional supplemental channels are allocated.


The rejected claims 6, 7, 11, 14 and 17 recite specifically first and second base stations as an example of the plurality of base stations which are recited in the allowable claims 5, 10, 13 and 16. In this sense, the subject matter of claims 6, 7, 11, 14 and 17 should also be appreciated as patentable.

For at least the foregoing reasons it is respectfully requested that the rejection should be withdrawn and the claims allowed.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,


Brian S. Myers
Reg. No. 46,947

CUSTOMER NUMBER 026304
Telephone: (212) 940-8703
Fax: (212) 940-8986 or 8987
Docket No.: FUJH 18.939 (100794-11769)
BSM:fd